

**TOWN OF CONCORD
SELECT BOARD
AGENDA
MARCH 19, 2020
5:00PM - EMERGENCY MEETING
CONFERENCE CALL**

1.	Call to Order
2.	Declaring a State of Emergency
3.	Discussion of the Town Meeting Protocol
4.	Postponement of Town Election
5.	Formally cancel the Patriot's Day Parade, the Meriam Corner Event, the Dawn Salute, and the Ceremony at the Old North Bridge
6.	Authorize the Town Manager to suspend the collection of parking meter fees until further notice
7.	Adjourn

Declaration of Emergency – COVID-19

WHEREAS, the 2019 Novel Coronavirus (COVID-19) is a highly contagious and potentially fatal respiratory disease and global pandemic, the prevalence of which is increasing rapidly throughout the world, inclusive of the United States and the Commonwealth of Massachusetts; and

WHEREAS, on March 11, 2020 the World Health Organization designated the COVID-19 outbreak a Pandemic Health Emergency; and

WHEREAS, on March 10, 2020, the Governor of the Commonwealth of Massachusetts issued a Declaration of a State of Emergency in response to the COVID-19 pandemic; and

WHEREAS, on March 13, 2020, the President of the United States announced a national declaration of emergency; and

WHEREAS, on and subsequent to March 15, 2020, Governor Baker has announced emergency actions to respond to the evolving COVID-19 public health emergency impacting the Commonwealth, including prohibitions on public gatherings of twenty-five or more people, prohibiting on-premises consumption of food or drink at bars and restaurants, suspension of elementary and secondary school educational operations, suspension of certain family day care programs, directing the closure of state offices and building, directing non-essential Executive Branch employees not to report to work locations, and ordering the activation of the State Emergency Operations Center; and

WHEREAS, the Supreme Judicial Court of the Commonwealth has ordered the suspension of all civil and criminal trials in the Commonwealth, and has suspended all but emergency matters; and

WHEREAS as of March 19, 2020, there are at least 256 confirmed cases of COVID-19 in the Commonwealth, and the number of diagnosed and presumptive cases is increasing daily; and

WHEREAS, the Select Board, the Board of Health, the Police and Fire Chiefs, Town Manager, and the Emergency Management Director, following consultation with the Massachusetts Department of Public Health, the Massachusetts Emergency Management Agency, and other cities and towns, has determined that COVID-19 presents a major disaster in the Town of Concord which poses an immediate threat to public health, safety, and general welfare of people residing both within and outside of the Town of Concord; and

WHEREAS, the Concord Select Board, the Board of Health, the Police and Fire Chiefs, Town Manager, and the Emergency Management Director have determined that immediate public action is needed in order to prevent or minimize the spread of COVID-19 and effectively respond to the impacts of this pandemic by and among the people of Concord; and

WHEREAS, it is critical to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the people of Concord; and

WHEREAS, declaring a state of emergency will further facilitate and expedite the timely, efficient and effective use of public and private resources to protect persons and the community from the impacts of COVID-19, including but not limited to emergency expenditures pursuant to Massachusetts General Laws, Chapter 44, Section 31, limitations on operating hours and access to public buildings, and the exercise of emergency authorities set forth in Section 13 of Chapter 639 of the Acts of 1950 (the Civil Defense Act) and elsewhere in the Civil Defense Act including, but not limited to entering into contracts, incurring obligations necessary to prepare for, respond to, and mitigate the impacts of this public health disaster, protecting the health and safety of persons and property, and providing emergency assistance to people impacted by the disaster; and

WHEREAS, the Select Board, Board of Health, Police and Fire Chiefs, Town Manager, and the Emergency Management Director recommended that a state of emergency be declared in the town of Concord.

NOW THEREFORE, we, the Select Board and the Board of Health of the Town of Concord, Massachusetts, hereby declare that an emergency exists in the Town of Concord and issue this Emergency Declaration pursuant to our powers, including our powers under the Civil Defense Act, Chapter 111 of the Massachusetts General Laws, the Town of Concord's by-laws, and all other applicable laws and regulations, and further, pursuant to Section 13 of the Civil Defense Act, hereby appoint the Select Board, the Director of the Board of Health, the Police and Fire Chiefs, Town Manager, and Emergency Management Director a "Local Civil Defense Organization." This declaration of emergency is effective immediately and shall remain in effect until further notice is given, pursuant to our judgment that the emergency no longer exists.

Concord Select Board

Town Meeting Weather or Public Safety Emergency Protocol

For Concord, Massachusetts 01742

This protocol, which follows the requirements of Mass. Gen. Laws ch. 39, sec. 10A, is intended to be used in the event that a Weather or Public Safety Emergency may prevent voters from being able to attend an Annual or Special Town Meeting called by Warrant for the Town of Concord. It is adopted by agreement of the Select Board, Town Manager and Moderator.

1. Moderator Consultation with Town Officials. If the Moderator determines that voters may be unable to attend an Annual or Special Town Meeting because of a weather or public safety emergency, the Moderator will consult with the Town Manager, Police Chief, Fire Chief, Public Works Director, and Select Board Chair (and, if the public safety emergency involves public health, with the Director of Public Health) (together, the "Consulted Officials"). The consultation will include:
 - a. Level of risk to which the weather or public safety emergency would expose voters in gathering at the town meeting venue;
 - b. Cost and effectiveness of measures available to mitigate the risk to voters;
 - c. Expected duration of the weather or public safety emergency;
 - d. Such other factors as the Consulted Officials recommend be considered by the Moderator in the circumstances;
 - e. The recommendation of each of the Consulted Officials whether to recess the Town Meeting and, if so, to what time, date and place the town meeting should be continued.
2. Moderator's Declaration of Recess and Continuance. Following the consultation, the Moderator will determine whether to declare a recess and continuance of the town meeting and, if so, will announce the declaration of recess and continuance as far in advance of the town meeting being continued as is practicable.
3. Content and Filing of Moderator's Declaration. The Moderator's notice of declaration of recess and continuance of a town meeting shall be clearly presented in writing and shall include:
 - a. The date, time and place of the meeting being recessed and continued;
 - b. The reason for the recess and continuance;
 - c. The date, time and place to which the meeting is continued which date shall be within thirty (30) days of the Moderator's Declaration; however, if the Moderator is unable to identify a location for the continued meeting at the time of the declaration, the Moderator shall issue an amended notice of declaration.

The Moderator shall file the notice of declaration, and any amended notice of declaration, as soon as is practicable, with the Town Clerk for publication.

4. Publication of Notice of Moderator's Declaration of Recess and Continuance. The Town Clerk shall post a paper copy of the Moderator's Declaration at the Town House and an electronic copy on the Town's website. In addition, the Select Board may consider the following additional means of publication:
 - a. Electronic mail publication to the Town's "News and Notices" subscribers;
 - b. Social media publication through the Town's Facebook and Twitter accounts;
 - c. Television publication on MMN's Community Event Bulletin Board;
 - d. Newspaper and electronic news publication through press release to the Concord Journal and the Concord Patch;
 - e. Telephone publication through the Town's reverse 911 capability;
 - f. Publication through announcements by Town Boards and Committees at their public meetings.
5. Notice to the Massachusetts Attorney General. The Select Board shall designate a Town public safety official to submit a report to the Attorney General setting forth the reasons for the Moderator's Declaration, which report shall be submitted within ten days of the Moderator's Declaration.
6. Establishment of Communication Plan for Town Meeting Weather or Public Safety Emergencies. To facilitate the implementation of this Protocol, a Town Meeting Weather & Public Safety Emergencies Communication Contact List shall be created by the Town Manager, updated on March 1st of each year, and provided to each individual included on the Contact List. The Contact List shall include email, office telephone, mobile telephone, and home telephone numbers for:
 - a. Moderator
 - b. Select Board Chair
 - c. Town Manager
 - d. Deputy Town Manager
 - e. Town Clerk
 - f. Police Chief
 - g. Fire Chief
 - h. Director of Public Works
 - i. Director of Public Health